

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.)
) Criminal No. 04-10234-NMG
 WALLSTEIN DWAYNE ALLEN)
 Defendant)

**INFORMATION REGARDING PRIOR CONVICTIONS FILED PURSUANT TO
21 U.S.C. §851 REGARDING DEFENDANT WALLSTEIN DWAYNE ALLEN**

The United States Attorney charges that:

1. On or about February 22, 1999, WALLSTEIN DWAYNE ALLEN was convicted in the Chaut County Court (New York) of CSCS-3rd: Narcotic Drug [Criminal Sale of a Controlled Substance in the Third Degree] in violation of the State of New York Penal Code.

2. WALLSTEIN DWAYNE ALLEN has been named as a defendant in an Indictment numbered 04-10234-NMG. The Indictment charges that WALLSTEIN DWAYNE ALLEN did knowingly and intentionally combine, conspire and agree with other persons, known and unknown to the Grand Jury, to import cocaine in an amount involving five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, into the United States from a place outside the United States, to wit: Suriname and Guyana, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1) ; did knowingly and intentionally combine, conspire and agree with the named co-defendants and other persons, known and unknown to the Grand Jury, to possess with intent to distribute, and distribute, cocaine, a Schedule II controlled

substance, and that the conspiracy involved at least five kilogram of a mixture and a substance containing a detectable amount of cocaine, a Schedule II controlled substance in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B)(ii); and did knowingly and intentionally possess cocaine, a Schedule II controlled substance, with intent to distribute and that the offense involved five kilograms or more of a mixture or substance containing a detectable amount of cocaine in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

3. By way of this information, the government notifies WALLSTEIN DWAYNE ALLEN, that he is charged with committing the crime alleged in said indictment after having been previously convicted of the felony drug offenses as set out in paragraph 1 above.

All in keeping with Title 21, United States Code, Section 851(a)(1).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BY:

/s/: David G. Tobin

DAVID G. TOBIN
Assistant U.S. Attorney

Dated: December 2, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon counsel of record a copy of the foregoing document by electronic mail and by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery.

This 2nd day of December 2005.

/s/: David G. Tobin

DAVID G. TOBIN
ASSISTANT UNITED STATES ATTORNEY